

HOUSE No. 76

By Mr. Casey of Winchester, petition of Paul C. Casey and Anne M. Gobi relative to the enrollment of voters in the Commonwealth Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE ENROLLMENT OF VOTERS IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 44 of Chapter 51 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended by adding
3 the following sentence:— A person registering as a voter who does
4 not establish his enrollment in a political party or political designa-
5 tion as provided herein, shall be recorded as unaffiliated.

1 SECTION 2. Section 37 of Chapter 53 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended by
3 striking out the fifth sentence in its entirety and inserting in place
4 thereof the following sentence:— If the voter was not enrolled with
5 a party prior to the selection of a party ballot he shall continue to be
6 unaffiliated and shall be recorded as unaffiliated in the current
7 annual register of voters; provided, however, that in a presidential
8 primary, the voter shall become enrolled in and shall remain a
9 member of the political party whose ballot he received until he files
10 a certificate, signed under the pains and penalties of perjury, with the
11 board of registrars of voters, requesting to have his enrollment
12 changed to another party or political designation or canceled or by
13 appearing in person before a member of said board and requesting,
14 in writing, that such enrollment be changed or cancelled.

1 SECTION 3. Section 37A of said chapter is hereby amended in
2 line 3 by striking out the term “unenrolled” and replacing it with
3 the following term:— unaffiliated.

1 SECTION 4. Section 37A of said chapter is hereby amended by
2 striking out the second and third paragraphs and inserting in place
3 thereof the following paragraphs:—

4 The officers processing absentee ballots shall cause to be
5 recorded upon the voting lists to be used at the polling place the
6 political party in whose primary the absentee voter has cast his
7 ballot if he is unaffiliated, or the officers charged with the casting
8 of such absentee ballot at the polling place shall so record on the
9 voting list the political party in whose primary the absentee voter
10 has cast his ballot if he is unaffiliated.

11 If the voter was unaffiliated prior to the selection of a party
12 ballot he shall continue to be unaffiliated and shall be recorded as
13 unaffiliated in the current annual register of voters; provided,
14 however, that, in a presidential primary, the voter shall become
15 enrolled in and shall remain a member of the political party whose
16 ballot he received until he files a certificate, signed under the
17 pains and penalties of perjury with the board of registrars of
18 voters, requesting to have his enrollment changed to another party
19 or political designation or cancelled or by appearing in person
20 before a member of said board and requesting, in writing, that
21 such enrollment be changed or cancelled.

1 SECTION 5. Section 38A of said chapter is hereby amended in
2 line 4 by striking out the term “unenrolled” and replacing it with
3 the following term:— unaffiliated.